

1 BY MR. COHEN:

2 Q Will you show the witness Glendale Exhibit 103? My  
3 question is was that memo sent to the Trinity Stations as well  
4 as to the NMTV Station in Portland, same memo?

5 A Yes.

6 Q Thank you.

7 MR. COHEN: That's all I have, Howard, on that one.

8 MR. TOPEL: We can sit down?

9 MR. COHEN: You can sit down. Unless you'd rather  
10 stand there, I have no objection to that.

11 JUDGE CHACHKIN: I think in the future, where we  
12 have tabs, there's nothing preventing the witness from finding  
13 the documents without need of counsel to give it to her.

14 MR. COHEN: That's fine with me.

15 JUDGE CHACHKIN: Let's proceed in that fashion in  
16 the future.

17 MR. COHEN: Very well, Your Honor, we can move  
18 faster --

19 JUDGE CHACHKIN: If there's difficulty -- if there  
20 is difficulty for the witness to find the documents, they  
21 should then ask for assistance. Otherwise the witness can  
22 find the document herself.

23 MR. TOPEL: This is -- we can proceed that way, but  
24 I want to explain to you our volume of tabs, has a lot of  
25 markings on it. We have another volume that doesn't have

1 tabs, but has the Exhibit numbers. The witness may well be  
2 able to use this, but we don't have a volume of tabs that's  
3 unmarked.

4 JUDGE CHACHKIN: I see.

5 BY MR. COHEN:

6 Q Now, am I correct that Ben Miller acted as NMTV's  
7 consulting engineer with the construction of the Portland  
8 Station?

9 A That's correct.

10 Q And did you consult with Mr. Miller before you hired  
11 him -- strike that. Did you consult with Mr. Miller  
12 concerning -- strike that. Before you hired Mark Fountain,  
13 who is the chief engineer at Portland, isn't it accurate that  
14 you consulted with Ben Miller about hiring Mark Fountain?

15 A Yes.

16 Q And Mark Fountain had worked for TBN, correct?

17 A Correct.

18 Q And what was his job at TBN before he came to  
19 Portland?

20 A He was a maintenance engineer.

21 Q And in connection with hiring him in Portland, you  
22 also consulted with a man named George Murray, am I correct?

23 A That's correct.

24 Q And please identify for the record who George Murray  
25 was?

1           A     George Murray was Mark Fountain's direct supervisor  
2 at TBN.

3           Q     Why did you discuss Mr. Fountain moving to Portland  
4 with Ben Miller?

5           A     Because Mr. Fountain's responsibilities in Portland  
6 would be to construct the station, and to my knowledge, he did  
7 not have that type of experience, and I wanted to consult with  
8 Mr. Miller to make sure that he felt that Mr. Fountain had the  
9 qualifications and would be able to perform the necessary  
10 construction on the station.

11          Q     Because Mr. Miller would be supervising the  
12 construction of Portland, is that correct?

13          A     Mr. Miller is an expert in station construction.

14          Q     But isn't it correct that Mr. Miller supervised the  
15 construction of the Portland station?

16          A     He acted as a consultant.

17          Q     In supervising the construction?

18          A     Yes.

19          Q     Did anyone else supervise the construction of the  
20 Portland station other than Mr. Miller?

21          A     We had some outside assistance, from time to time,  
22 from contractors.

23          Q     Did he do the great bulk of the supervision of the  
24 construction of the Portland Station?

25          A     What he did was basically on the telephone, he

1 wasn't there hands on, he was available by telephone, if Mark  
2 ran into a problem that he couldn't handle.

3 Q But he did travel to Portland personally to  
4 supervise the construction, am I correct?

5 A To my knowledge, he was there prior to the  
6 construction, but I don't remember him being there during the  
7 actual construction, I could be wrong, but I don't think he  
8 was.

9 Q Now, Mr. Miller was not paid for these services, was  
10 he?

11 A No.

12 Q I want to make sure our record is clear. Isn't it  
13 true that Mr. Miller acted as the consulting engineer for the  
14 Portland Construction?

15 A He acted as the consultant, yes.

16 MR. COHEN: Your Honor, Exhibit 144 -- Glendale  
17 Exhibit 144, I believe is the Bureau Exhibit 392. Is that  
18 correct? That's what I have, I want to make sure I'm right.  
19 I think that was received in evidence, am I correct? I'd like  
20 to have the witness refer to that document, Your Honor. I  
21 don't know that she has it in front of her. It's Glendale 144  
22 or Bureau 392, Your Honor.

23 MR. SHOOK: Your Honor, perhaps we can assist this  
24 if --

25 MR. TOPEL: Bureau 392 -- I'm sorry.

1 MR. SHOOK: I was going to suggest that if there are  
2 going to be repeated references to Bureau Exhibits, we have an  
3 extra set which we can bring up and --

4 MR. COHEN: I think that would be helpful.

5 JUDGE CHACHKIN: That would be fine.

6 MR. COHEN: That would be a wonderful idea.

7 JUDGE CHACHKIN: That might be useful.

8 MR. TOPEL: Your Honor, I was just going to note,  
9 Bureau Exhibit 392 is a compendium of document. So I'd be  
10 very surprised if the compendium was identical to Mr. Cohen's  
11 compendium -- Mr. Cohen's exhibit.

12 MR. COHEN: Can we go off the record, Your Honor?

13 JUDGE CHACHKIN: Yes.

14 (Off the record.)

15 (Back on the record.)

16 JUDGE CHACHKIN: Back on the record. Mr. Cohen  
17 wants Mrs. Duff to refer to page 6 of Bureau Exhibit 392.

18 BY MR. COHEN:

19 Q Yes. And my question is, Mrs. Duff, am I correct  
20 that Mr. Miller was not paid for his services in preparing and  
21 drafting the document to Michael Blackwell dated August 13,  
22 1992?

23 A That's correct.

24 Q Am I correct that you requested Mr. Miller to write  
25 the letter to Mr. Blackwell?

1 A Yes.

2 Q And I'm correct that all of the engineering services  
3 that Mr. Miller renders on behalf of NMTV are on a non-pay  
4 basis, is that correct?

5 A That's correct.

6 Q Now, the witness needs to refer to Glendale 146,  
7 Your Honor, which is not a joint exhibit.

8 MR. TOPEL: Your Honor, may I just instruct the  
9 witness how to use this --

10 JUDGE CHACHKIN: Yes, why don't you. We'll go off  
11 the record so you can instruct the witness --

12 (Off the record.)

13 (Back on the record.)

14 JUDGE CHACHKIN: We're back on the record.

15 MR. COHEN: Thank you, Your Honor.

16 BY MR. COHEN:

17 Q Mrs. Duff, just spend enough time looking at that  
18 document to familiarize yourself with it, I'm not going to be  
19 asking you about the contents. I'm not. Tell me when you've  
20 familiarized yourself with it.

21 A Yes.

22 Q Am I correct that you asked Mr. Miller to prepare  
23 that document?

24 A Yes, I did.

25 MR. COHEN: We now return to 392 again, Your Honor.

1 Bureau Exhibit 392. I'm going to have to find the page. It's  
2 page --

3 JUDGE CHACHKIN: Bureau 392 is volume 6.

4 MR. COHEN: Yeah, it's page 10.

5 BY MR. COHEN:

6 Q Now, this letter is on the letterhead of Juggert and  
7 Raymond. And my question is did you ask Mr. Juggert to  
8 prepare that letter?

9 A Yes, I did.

10 Q Thank you. Is the name George Horvath a familiar  
11 name to you?

12 A Yes.

13 Q Does George Horvath provide services for NMTV?

14 A Upon my request, yes.

15 Q And what services does he provide?

16 A Anything I ask him to do.

17 Q And is George Horvath an employee of TBN?

18 A Yes.

19 Q And what is his job title?

20 A He is Low Power Coordinator.

21 Q And give me examples, if you will, a few examples of  
22 the kinds of duties you asked Mr. Horvath to perform on behalf  
23 of NMTV?

24 A I ask him for technical advice, and he provides  
25 engineering services for some of NMTV's low power stations.

1 Q Does he also, from time to time, obtain transmitter  
2 sites for NMTV?

3 A Yes.

4 Q And does he do that for TBN?

5 A Yes.

6 Q And has Mr. Horvath been providing these services  
7 for NMTV since he was employed by Trinity?

8 A Yes.

9 Q And can you give us your best recollection of  
10 approximately when he was employed?

11 A He's been at TBN almost two years.

12 Q And that's continuing on to the present time, he  
13 performs these services for NMTV?

14 A Yes.

15 Q And is he paid by NMTV?

16 A No.

17 Q Now, does Mr. Horvath have a title when he provides  
18 services for NMTV?

19 A No, he doesn't have an actual title.

20 Q Doesn't he hold himself out as a consultant?

21 A I would ask for his consulting services, if I asked  
22 him a question, he would consider himself giving a  
23 consultation, so any title that he gave himself it would be  
24 his self-imposed title.

25 Q You didn't tell him to call himself a consultant?

1 A No.

2 Q Are you aware that he holds himself out as a  
3 consultant, in correspondence?

4 A I have no problem with that.

5 Q That's not my question, did you have a problem. My  
6 question is are you aware?

7 A Yes.

8 Q So you have seen correspondence where he has held  
9 himself out as a consultant?

10 A That is correct.

11 Q Now, you've never told him to stop doing that?

12 A No.

13 MR. COHEN: Your Honor, next I'd like to put before  
14 the witness, have her review Exhibit -- Glendale Exhibit 171.

15 BY MR. COHEN:

16 Q Before you look at that Exhibit, Ms. Duff, there's  
17 another question I wanted to ask you that I overlooked. Who  
18 was Mr. Horvath's predecessor at TBN?

19 A We had a volunteer.

20 Q And that gentleman's name was Mr. -- was George --

21 A George Sebastian.

22 Q George Sebastian. Okay. And he provided for TBN  
23 the same type of services that Mr. Horvath does, is that  
24 correct?

25 A Yes.

1 Q And am I correct that Mr. Sebastian also provided  
2 services for NMTV?

3 A That's correct.

4 Q And he provided the same kinds of services for NMTV,  
5 that Mr. Horvath is providing?

6 A Yes.

7 Q And that was done pursuant to your request?

8 A Yes.

9 Q And isn't it correct that Mr. Sebastian held himself  
10 out as a consultant?

11 A Yes.

12 Q And that was with your approval?

13 A Yes.

14 Q Thank you.

15 JUDGE CHACHKIN: And was he paid by NMTV?

16 MRS. DUFF: Yes, sir.

17 BY MR. COHEN:

18 Q He was paid by NMTV?

19 A Yes.

20 Q Very well.

21 MR. COHEN: That's news to me, Your Honor, but if it  
22 happened, it happened.

23 JUDGE CHACHKIN: How was he paid by NMTV, by job, or  
24 what was the arrangement that he would get paid by?

25 MRS. DUFF: He would bill us.

1 JUDGE CHACHKIN: He would bill NMTV?

2 MRS. DUFF: Yes.

3 JUDGE CHACHKIN: And why didn't Mr. Horvath also  
4 bill NMTV?

5 MRS. DUFF: I did not make that a part of -- and I  
6 didn't offer him that.

7 JUDGE CHACHKIN: Why not?

8 MRS. DUFF: Mr. Sebastian wasn't paid by TBN, and  
9 the services that he offered were volunteer for TBN. And so I  
10 didn't -- I just didn't offer the same -- you know, I didn't  
11 offer an agreement to Mr. Horvath because I figured that he  
12 was well paid by TBN, and he didn't request it.

13 JUDGE CHACHKIN: All right.

14 BY MR. COHEN:

15 Q I'd like you to refer now if you will to Glendale  
16 Exhibit 171. And I call your attention to the caption "An  
17 NMTV International Headquarters," do you see that?

18 A Yes.

19 Q Yes. The address 2442 Michelle Drive. Is that  
20 Trinity's address?

21 A Yes.

22 Q Okay. Did you ask Mr. Miller to write the letter to  
23 Mr. Crutcher?

24 A I don't remember specifically asking him to write  
25 this.

1 Q Thank you. Now, we've -- I've asked you about the  
2 construction of the Portland Station, I now want to ask you  
3 about the construction of the Odessa Station. Isn't it true  
4 that Mr. Miller was a consultant in the construction on the  
5 Odessa Station?

6 A That's correct.

7 Q And for purposes of refreshing your recollection, I  
8 want to ask you, do you have a recollection, I've asked you  
9 this before, but I want to ask you again, do you know whether  
10 Mr. Miller traveled to Portland in connection with the  
11 construction of the station?

12 A He did travel there, early on, but it was before the  
13 actual construction began, and if he traveled there later,  
14 during the building of the station, I don't recall.

15 Q Okay.

16 MR. COHEN: Your Honor, for purposes of impeachment,  
17 I want to read into the record, page 76 of the witness's  
18 deposition, October 8th, line 16, "Did he," referring to Mr.  
19 Miller, "ever travel to Portland to your knowledge, in  
20 connection with the construction of the station?" And the  
21 answer at line 19 is "Yes."

22 MR. TOPEL: I object to that, Your Honor.

23 JUDGE CHACHKIN: It's not inconsistent with what she  
24 said.

25 MR. TOPEL: Exactly.

1 MR. COHEN: Very well, Your Honor.

2 JUDGE CHACHKIN: Apparently she wasn't asked whether  
3 he traveled during the actual construction.

4 MR. COHEN: Your point is well taken, Your Honor.

5 BY MR. COHEN:

6 Q Will you please refer, ma'am, to Glendale Exhibit  
7 181? My question is did Mr. Miller keep the records for the  
8 NMTV stations?

9 A I provided him with those records.

10 Q Glendale Exhibit 170, can you look at that, I'd  
11 appreciate it. The question is, was the same memorandum sent  
12 to the Trinity stations?

13 MR. TOPEL: Excuse me, Mr. Cohen.

14 MR. COHEN: Sure.

15 MR. TOPEL: What Exhibit are we on?

16 MR. COHEN: Glendale 170.

17 MRS. DUFF: I believe it was.

18 BY MR. COHEN:

19 Q Okay. Now, will you please explain for the record,  
20 ma'am, what NMTV's procedures were in connection with the  
21 preparation of purchase orders?

22 A The procedures were a purchase order would be  
23 generated by my department or the engineering department, and  
24 I would be apprised of the purchase orders from the  
25 engineering department, because I relied on Mr. Miller's

1 expertise in purchasing of the engineering equipment. Any  
2 other purchase orders would be generated from my office.

3 Q Are the same procedures followed in connection with  
4 the preparation of NMTV purchase orders, and TBN purchase  
5 orders?

6 A Well, I'm not responsible for the majority of TBN's  
7 purchase orders, but I am responsible for NMTV's purchase  
8 orders.

9 Q Well, I'm asking you about the procedures, and let  
10 me be more specific. How many signatures are required on a  
11 purchase order, for NMTV, or initials?

12 A Two.

13 Q How many are required on TBN purchase orders?

14 A Two.

15 Q Does anyone other than Ben Miller requisition  
16 engineering supplies in connection with purchase orders for  
17 NMTV?

18 A The station engineer can requisition, or the station  
19 manager.

20 Q And this is in connection with purchase orders?

21 A Yes.

22 MR. COHEN: Your Honor, I want to, for purposes of  
23 impeachment, I want to read the witness's answer October 8th  
24 deposition, page 81, line 13. "To your knowledge, did anyone  
25 other than Ben Miller requisition engineering supplies in

1 connection with purchase orders?" Mr. Topel, "For NMTV?" Mr.  
2 Cohen, "For NMTV." The witness "I don't believe so." Line  
3 18.

4 BY MR. COHEN:

5 Q Who is Patricia St. John-Clerk?

6 A She is the purchasing secretary for TBN's  
7 engineering department.

8 Q Does she provide services for NMTV?

9 A She does at the present time.

10 Q She does not?

11 A She does at the present time.

12 Q And for how long has she been providing these  
13 services?

14 A She actually worked under Ben Miller, and so in that  
15 capacity she would be providing services, at his request, as a  
16 consultant for TB -- NMTV.

17 Q She's -- excuse me, I didn't mean to cut you off.  
18 She's the purchasing secretary, isn't that right?

19 A Yes, she was.

20 Q She was?

21 A Yes.

22 Q She's no longer purchasing secretary?

23 A No, she has been promoted to another position.

24 Q Okay. And for how long did she serve as purchasing  
25 secretary, to your knowledge?

1 A For several years, I don't know exactly.

2 Q And she was the purchasing secretary to Ben Miller,  
3 is that correct?

4 A Right.

5 Q And in connection with carrying out her duties as  
6 purchasing secretary for Ben Miller, she provided services for  
7 NMTV at Mr. Miller's request. Is that correct?

8 A Yes.

9 JUDGE CHACHKIN: She was purchasing secretary for  
10 TBN, is that correct?

11 MRS. DUFF: Yes.

12 JUDGE CHACHKIN: It's established that it was TBN?  
13 All right. Let's continue.

14 BY MR. COHEN:

15 Q Would the witness please refer to Bureau Exhibit  
16 371?

17 MR. SCHONMAN: That's Volume 6.

18 BY MR. COHEN:

19 Q Did you ask Mr. Miller -- strike that. The memo  
20 which is Bureau Exhibit 371, was prepared in connection with  
21 the purchase by NMTV of the Wilmington Station, am I correct?

22 A In connection with our attempt to purchase the  
23 station.

24 Q Yes. Now, did you ask Mr. Miller to visit the  
25 studios of WTGI-TV?

1 A Yes.

2 Q And did he visit the studios?

3 A Yes.

4 Q And what --

5 MR. TOPEL: WTGI, I believe.

6 MR. COHEN: TGI, excuse me.

7 BY MR. COHEN:

8 Q And for what reason did you ask Mr. Miller to visit  
9 the studios of WTGI?

10 A To give me a report of the condition of the studio  
11 and the equipment, and to just give me his opinion on the  
12 capability of the station, just to give me an overview from  
13 the engineering view point as to the power and the signal and  
14 that type of thing.

15 Q And you asked him to do that because you have  
16 confidence in his judgment, is that correct?

17 A Yes.

18 Q And you relied upon that?

19 A Yes.

20 Q And you're relying -- you were -- strike that.  
21 Would you turn to Bureau Exhibit 331? Now, please identify  
22 for the record, who Dale Osborn is?

23 A Dale Osborn is the station manager engineer in  
24 Canton, Ohio.

25 Q And that's a Trinity Station in Canton?

1 A That is correct.

2 Q And you asked him to prepare a report in connection  
3 with NMTV's purchase of the Wilmington Station, is that  
4 correct?

5 A Yes.

6 Q Now, there's handwriting on that Exhibit, is that  
7 your handwriting?

8 A Yes.

9 Q When you stated there "Ben was not impressed,"  
10 obviously you must have had some conversation with Mr. Miller  
11 concerning Mr. Osborn's report, is that correct?

12 A Yes.

13 Q And why did you discuss Mr. Osborn's report with Mr.  
14 Miller?

15 A Why did I discuss Mr. Osborn's report with Mr.  
16 Miller?

17 Q Yes.

18 A Well, I was trying to get the best information that  
19 I could.

20 Q And you relied upon Mr. Miller in critiquing Mr.  
21 Osborn's report, is that correct?

22 A Yes.

23 Q And Mr. Miller is Mr. Osborn's supervisor, is that  
24 correct?

25 A Yes.

1 Q Did you send the report to -- from Mr. Osborn to Mr.  
2 Miller?

3 A I did.

4 Q And you relied upon Mr. Miller for critiquing Mr.  
5 Osborn's report?

6 A Right.

7 MR. COHEN: Your Honor, I wanted to turn to another  
8 subject, would this be a convenient time to take it --

9 JUDGE CHACHKIN: Well, I was planning on taking a  
10 recess at 11:00.

11 MR. COHEN: Very good, Your Honor.

12 BY MR. COHEN:

13 Q I'd like you to refer to Bureau Exhibit 337. Now,  
14 Mrs. Duff, you will notice that this agreement to provide  
15 business services speaks as of January 2nd, 1991, do you see  
16 that?

17 A Yes.

18 Q Now, isn't it correct that prior to January 2nd,  
19 1991, Trinity was providing the services referred to in that  
20 document?

21 A Yes.

22 Q And that was an oral agreement, is that correct?

23 A Pretty much. We had the 20% from the air time  
24 agreement that was paid to TBN, but it really didn't cover  
25 enough of the services that were being provided because by

1 | this time, NMTV had several low power stations, and it had the  
2 | full power station in Portland that was being constructed.  
3 | There was a lot more required of TBN and at that particular  
4 | time, the CPA and the accounting department at TBN notified me  
5 | that they're providing a lot of services and they wanted to  
6 | have some more money to cover the cost of the employees that  
7 | actually did the work.

8 |       Q     Am I correct that the agreement dated January 2nd,  
9 | 1991, memorializes in effect what was occurring prior to  
10 | January 2nd, 1991?

11 |       A     I don't believe that's the actual case, there was  
12 | more work being done, that had been previously done. There  
13 | were always services provided, but there was an increase in  
14 | the amount of work that was being done in the accounting  
15 | department.

16 |           MR. COHEN: Your Honor, for purposes of impeachment,  
17 | I want to read into the record October 8th deposition, page  
18 | 91, line 25, question, "This agreement memorializes then in  
19 | effect what had occurred prior to January 2nd, 1991. Is that  
20 | correct?" Answer, "Yes."

21 |           COURT REPORTER: I'd like to change the tape.

22 |           (Off the record.)

23 |           (Back on the record.)

24 |           JUDGE CHACKIN: We're back on the record.

25 |           BY MR. COHEN:

1 Q Now, isn't it true -- strike that. Do you see the  
2 reference in the paragraph in article 3, to the sum \$422.50?

3 A Yes.

4 Q Isn't it true that the -- that sum was determined by  
5 discussions between yourself and the accounting department at  
6 TBN?

7 A The accounting department CPA did research to find  
8 out exactly how much each employee in her department was --  
9 how much time her department was spending on NMTV's accounts.  
10 And she came up with a figure, and I also consulted with an  
11 outside consulting service, for business services, CRM, I  
12 believe it was. And they gave me a price, and I thought it  
13 was way too high. So I went back to the accounting department  
14 and told her that I would like to negotiate the price that she  
15 had quoted for me, and we just -- we agreed to cut in half the  
16 amount of actual -- the actual cost of the services to NMTV.

17 Q Now --

18 A And that's how we arrived at this figure.

19 Q In your answer earlier, you talked about an  
20 accounting department CPA. That was the CPA of Trinity --

21 A Yes.

22 Q -- is that correct? And who was that?

23 A Donna Sharpe.

24 Q And she's employed by Trinity?

25 A Yes.

1 JUDGE CHACHKIN: What was the price quoted by the  
2 Southside outfit?

3 MRS. DUFF: It was a percentage of our revenues.

4 JUDGE CHACHKIN: So it would have been a much  
5 greater amount?

6 MRS. DUFF: Oh, much, much, much greater.

7 JUDGE CHACHKIN: And what I understand from what  
8 you're saying that the amount that the accounting Department  
9 of TBN quoted you initially was greater than \$422.50?

10 MRS. DUFF: It was exactly twice as much.

11 JUDGE CHACHKIN: And that was based on what they  
12 believed was their costs --

13 MRS. DUFF: Yes.

14 JUDGE CHACHKIN: -- of providing the service?

15 MRS. DUFF: Right.

16 JUDGE CHACHKIN: But they nevertheless agreed to  
17 provide the service for half that amount?

18 MRS. DUFF: That's right.

19 JUDGE CHACHKIN: Even though this would be less than  
20 the cost for the services?

21 MRS. DUFF: That's true.

22 BY MR. COHEN:

23 Q Isn't it true that you don't know whether in  
24 determining the \$422 sum, any consideration was given to the  
25 value of the assistance rendered by independent certified

1 public accountant?

2 A That was included in the -- in the agreement.

3 Q I understand that it was included in the agreement,  
4 but my question is, isn't it true that no consideration was  
5 given to the value of the assistance rendered?

6 A I don't -- I don't know that.

7 Q Do you remember discussing with Donna Sharpe the  
8 particular charge of, or assessment for the services rendered  
9 by independent certified public accountant?

10 A I don't remember discussing it with her.

11 Q Now, prior to the time you signed the agreement to  
12 provide business services, and that is your signature, is that  
13 correct?

14 A Yes.

15 Q Okay. On behalf of the company -- was that  
16 agreement sent to each board member of NMTV before you signed  
17 it, so that each board member could review it?

18 A No it was not.

19 Q Now, TBN is the other signatory to this agreement  
20 and the signature there, as I make that out is Allen Brown, is  
21 that correct?

22 A That's correct.

23 Q And he was signing on behalf of TBN, correct?

24 A Yes.

25 Q And Allen Brown is an officer of NMTV, is that

1 correct?

2 A Yes, he is, at the present time.

3 Q Was he an officer when he signed that agreement?

4 A I don't believe he was, I'm not absolutely sure on  
5 this particular --

6 Q The record will speak for itself.

7 JUDGE CHACHKIN: Can we get a stipulation, Mr.  
8 Topel?

9 MR. TOPEL: I don't know, but it will be in the  
10 minutes.

11 MR. COHEN: It's, Your Honor, it would be in the  
12 minutes.

13 MR. TOPEL: The minutes of what officers were  
14 elected, when are in the minutes.

15 MR. COHEN: The only -- the only minute we don't  
16 have is concerning the current status and the witness  
17 testified to that yesterday.

18 MR. TOPEL: That's not an accurate characterization,  
19 --

20 MR. COHEN: Strike it, strike it, Your Honor.

21 MR. TOPEL: -- Your Honor.

22 JUDGE CHACHKIN: In any event --

23 MR. COHEN: Strike it, I wasn't trying to be  
24 contentious.

25 BY MR. COHEN:

1 Q Now, the payroll of NMTV is handled through the  
2 accounting department of TBN, is that correct?

3 A Yes.

4 Q Now, --

5 JUDGE CHACHKIN: Are you moving on to another --

6 MR. COHEN: Yes, I am.

7 JUDGE CHACHKIN: All right, we'll take a ten minute  
8 recess.

9 MR. COHEN: Thank you.

10 (Off the record.)

11 (Back on the record.)

12 JUDGE CHACHKIN: Back on the record.

13 MR. COHEN: Yes, Your Honor.

14 BY MR. COHEN:

15 Q Would the witness please refer to Bureau Exhibit  
16 125?

17 A 125?

18 Q Yes, ma'am. Tell me when you've found it, ma'am?

19 A Yes. I have it.

20 Q Is there any difference between the services  
21 rendered pursuant to that action by written consent and the  
22 services rendered to the agreement to provide business  
23 services?

24 A It's basically the same.

25 Q Thank you.